

## **FISCAL NOTE**

### **HB 2860 - SB 3213**

February 10, 2008

**SUMMARY OF BILL:** Requires presumption of flight risk when bail is set for an illegal alien. Requires jailor to determine, if possible, citizenship status of person charged with a felony or second or subsequent DUI violation.

#### **ESTIMATED FISCAL IMPACT:**

##### **Increase Local Expenditures\* – Exceeds \$100,000**

##### Assumptions:

- No reliable data are available on the number of illegal aliens in Tennessee. According to an August, 2007, report by the Comptroller of the Treasury, *Immigration Issues in Tennessee*, p. i, citing data from the Pew Hispanic Center, approximately 100,000 – 150,000 unauthorized aliens resided in Tennessee in 2005.
- A significant but unquantifiable number of these persons will be jailed. Of this number, a significant portion will be for a second or subsequent DUI offense or a felony.
- Local governments will incur a significant additional cost for incarceration due to higher bail for the presumption of flight risk and to make determinations of immigration status. According to the Comptroller, these expenditures are estimated to exceed \$100,000 per year.

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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